

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

James Bowden,

Plaintiffs,

v.

P.O. R. Reid #17285, individually,

Defendants.

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Case No. FILED: MAY 5, 2008
08 CV 2539 JH
Judge JUDGE MORAN
Magistrate Judge MAGISTRATE JUDGE MASON
Jury Demand

COMPLAINT AT LAW

NOW COMES the Plaintiff, James Bowden, by and through his attorneys, Gregory E. Kulis and Associates, complaining against the Defendant, P.O. R. Reid #17285, individually as follows.

COUNT I-EXCESSIVE FORCE

1) This action is brought pursuant to the Laws of the United States Constitution, specifically, 42 U.S.C. §1983 and §1988, and the laws of the State of Illinois, to redress deprivations of the civil rights of the Plaintiffs, and accomplished by acts and/or omissions of the Defendants committed under color of law.

2) Jurisdiction is based on Title 28 U.S.C. §1343 and §1331 and supplemental jurisdiction of the State of Illinois.

3) The Plaintiff, James Bowden, is a United States citizen and permanent resident of the State of Illinois.

4) The Defendant, P.O. R. Reid #17285, was at all relevant times, a duly appointed police officer of the City of Chicago and at all relevant times, was acting within his scope of

employment and under color of law.

- 5) On July 15, 2006, the Plaintiff, James Bowden, was driving home.
- 6) Plaintiff James Bowden saw the Defendant in plain clothes in the middle of the street.
- 7) Plaintiff exited his car and questioned the stranger who ultimately was learned to be the Defendant, P.O. R. Reid #17285.
- 8) Plaintiff James Bowden was not committing any crime or breaking any laws.
- 9) The Plaintiff said that he was calling the police for harassing him.
- 10) The Defendant attacked Plaintiff James Bowden and maced him.
- 11) Plaintiff James Bowden was injured.
- 12) Said use of force against the Plaintiff was unprovoked, excessive and unreasonable.
- 13) Said actions of the Defendant were intentional, willful and wanton.
- 14) Said actions of the Defendant violated Plaintiff James Bowden's Fourth and Fourteenth Amendment Rights of the United States Constitution and were in violation of said rights as protected by 42 U.S.C. §1983.
- 15) As a direct and proximate consequence of said conduct of the Defendant, P.O.R. Reid #17285, the Plaintiff, James Bowden, suffered violations of his constitutional rights, emotional anxiety, fear, pain and suffering and monetary loss and expense.

WHEREFORE, the Plaintiff, James Bowden, prays for judgment against the Defendant, P.O.R. Reid #17285, in an amount in excess of THIRTY THOUSAND AND 00/100 (\$30,000.00) DOLLARS in compensatory damages and TWENTY THOUSAND AND 00/100 (\$20,000.00) DOLLARS in punitive damages, plus attorneys' fees and costs.

COUNT II-FALSE ARREST

1-13) The Plaintiff, James Bowden, hereby realleges and incorporates his allegations of paragraphs 1-13 of Count I as his respective allegations of paragraphs 1-13 of Count II as though fully set forth herein.

14) Officer R. Reid thereafter charged the Plaintiff with reckless driving, driving on a suspended license, assault and resisting arrest.

15) These charges were false.

16) The Defendant did not have probable cause to arrest Plaintiff James Bowden.

17) Said actions of the Defendant were intentional, willful and wanton.

18) Said actions of the Defendant violated Plaintiff James Bowden's Fourth and Fourteenth Amendment Rights of the United States Constitution and were in violation of said rights as protected by 42 U.S.C. §1983.

19) As a direct and proximate consequence of said conduct of the Defendant, P.O. R. Reid #17285, the Plaintiff, James Bowden, suffered violations of his constitutional rights, emotional anxiety, fear, pain and suffering and monetary loss and expense.

WHEREFORE, the Plaintiff, James Bowden, prays for judgment against the Defendant, P.O. R. Reid #17285, in an amount in excess of THIRTY THOUSAND AND 00/100 (\$30,000.00) DOLLARS in compensatory damages and TWENTY THOUSAND AND 00/100 (\$20,000.00) DOLLARS in punitive damages, plus attorneys' fees and costs.

JURY DEMAND

The Plaintiff, James Bowden, request a trial by jury.

Respectfully submitted,

/s/ Gregory E. Kulis
Gregory E. Kulis & Associates, Ltd.

Gregory E. Kulis & Associates, Ltd.
30 North LaSalle Street, Suite 2140
Chicago, Illinois 60602
(312)580-1830